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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,883	01/14/2004	Akio Matsubara	6453P027	5184
8791 7590 06/26/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER BAYAT, ALI				
ART UNIT 2624		PAPER NUMBER		
MAIL DATE 06/26/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/757,883

**Applicant(s)**

MATSUBARA, AKIO

**Examiner**

ALI BAYAT

**Art Unit**

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on amendment filed on 3/07/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Response to Arguments**

1. Applicant's arguments, see page 7 of remarks, filed 3/07/08, with respect to the rejection(s) of claim(s) 1-31 under 12(e) and 103 rejections have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Chan et al. (US 7,110,608).

### **Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7,9-11, 13-25,27-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogeshwar (Pub. No: US 2004/0096110) in view of Chan et al. (US 7,110,608).

In regard to claim 1, Yogeshwar provides for a decompressing unit to decompress image data having a first data compression format ( Fig.6 element 602, Para.142); an obtaining unit to obtain a second data compression format ( Fig.6 element 606, para. 142) that is applicable for decompression by another image processing apparatus ( para.143, note user specified output format); a re-compressing unit to re-compress the decompressed image data with the second

data compression format obtained by the obtaining unit (Fig.6 element 606, para. 142); and a transmitting unit to transmit the re-compressed image data to the other image processing apparatus ( Fig.6 see the output of encoder 1-encoder M). Yogeshwar does not provide for the image data being formed as a code stream including a set of markers to indicate a beginning and an end of the code stream. However in the same field of endeavor Chan teaches the image being formed as code stream including a set of markers to indicate a beginning and an end of the code stream (Fig.16B col.11 lines 10-21). It would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Chen with the system and method of Yogeshwar to improve decisions concerning different resolutions had to be made at encode time, by utilizing the JPEG 2000 digital image compression standard to defer these decision to decode time, in client server environments such as the internet. See col.1 lines 55-67 of Chen.

With regard to claims 2/15/ and 20 Yogeshwar provides for a memory unit to store the image data having the first data compression format (Fig4 element 404, para.89).

As to claims 3,16 and 21 Yogeshwar provides for a request receiving unit ( Fig.6 element 606, para 142) to receive a request from the other image processing apparatus requesting for the image data having the first data compression format( para.143, note user specified output format).

In regard to claim 4, 17 and 22 Yogeshwar provides for, wherein the first data compression format is a JPEG 2000 format (para.156).

With regard to claims 5, 18 and 23 Yogeshwar provides for, wherein the image processing apparatus and the other image processing apparatus are connected via a network ( Para.8, see internet or wireless network).

As to claims 6 and 24, Yogeshwar provides for the decompressing unit can selectively decompress a part of the image data having the first data compression format (Fig.6 element 602, see full or partial decoding).

In regard to claims 7 and 27 Yogeshwar provides for, wherein the re-compression of the decompressed image data is performed with a lossless compression scheme (para.23, see lossless).

With regard to claims 9 and 27, Yogeshwar provides for, wherein the lossless compression scheme is a JPEG/DPCM scheme (para.156).

As to claims 10 and 28, Yogeshwar provides for, wherein the re-compression of the decompressed image data is performed with a lossy compression scheme (para.156).

In regard to claims 11 and 29, Yogeshwar provides for, wherein the lossy compression scheme is a JPEG/DCT scheme (para.156).

With regard to claims 13 and 31, Yogeshwar provides for, wherein the re-compressing unit switches between lossless compression and lossy compression according to a prescribed condition (Fig.6 element 606, Para.142, see multi-format decoder).

As to claim 14, see the rejection of claim 1. It recites similar limitations as claim 14. Hence it is similarly analyzed and rejected.

In regard to claim 19, see the rejection of claim 1. It recites similar limitations as claim 19. Except for having one or more recordable media storage (Fig.4 element 404). Hence it similarly analyzed and rejected.

3. Claims 8, 12, 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogeshwar (Pub. No: US 2004/0096110) in view of Chen et al. (US 7,110,608) further in view of (Lopresti et al. (Pub. No: US 2004/0120589),

As to claims 8,12, 26 and 30 Yogeshwar as modified by Chen does not provide for the lossless compression scheme is an LZH scheme and the lossy compression scheme is a GIF scheme. Lopresti provides for LZH and GIF compression scheme (Para.14). It would have been obvious to a person of ordinary skill in the art at time the invention was made to incorporate the teaching of Lopresti with the system and method of Yogeshware as modified by Chen to trans-code the web images found on existing web pages for a particular class of client devices. In this manner, client devices with limited capabilities can make optimal use of web pages. See Para.0003 of Lopresti.

### **Conclusion**

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Contact Information**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Bayat whose telephone number is 571-272-7444. The examiner can normally be reached on M-F 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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6/10/08